

Newstead Town Board Meeting- November 24, 2008

A Public Hearing was called to order by the Newstead Town Board on Monday, November 24, 2008 at 7:50pm at the Newstead Town Hall.

Present: David Cummings– Supervisor
Tom George- Councilman
Harold Finger- Councilman
Justin Rooney- Councilman
Cheryl Esposito- Councilwoman
Nathan Neill- Town Attorney
Mike Bassanello- Highway Supt.
Scott Rybarczyk- Town Engineer
John Good- Code Enforcement Officer
Kathleen Lang- Deputy Clerk

Roll Call was taken with all board members present.

The Supervisor called the public hearing to order on the proposed expansion of the self storage units business located at 13399 Main Rd.

The Clerk read the proof of publication.

Comments:

There being no further comments a motion was made by Councilman _____, seconded by Councilman _____ to close the public hearing at _____pm.

Carried Unanimously

A regular meeting of the Town board was called to order at 8:00pm with the same members present as listed above.

_____ led the pledge to the flag.

Minutes from the previous regular meeting held on November 10, 2008 were presented for approval. A motion was made by Councilman _____, seconded by Councilman _____ to approve as presented.

Carried Unanimously

Communications – The Town Clerk presented the following:

A letter from Akron Central School confirming the Towns use of the auditorium for a public information meeting on the Joint Highway Facility on December 4, 2008.

Certified resolutions from the Town of Brant and the Town of Marilla regarding their support for continued funding of the Cornell Cooperative Extension and Erie County Soil & Water thru Erie County.

A letter from the NYS DEC acknowledging receipt of the Town Boards resolution regarding their support of funding for the Cornell Cooperative Extension and Erie County Soil & Water.

A packet of materials was received from NYS Department of Public Service for their winter season “Heat Smart NY” campaign.

A packet of materials was received from “Food For All” with information on Food Stamps.

The New York State Revolving Fund Newsletter was received.

A letter from Senator Mary Lou Rath thanking the board for their resolution on the Registrar of Vital Statistics proposed changes and giving an update on the legislation.

A motion was made by Councilman _____, seconded by Councilman _____ to receive and file correspondence as presented. Carried Unanimously

Work Session: The Supervisor reported that at the work session held last week the following issues were discussed: the Board met with representatives of Krehers Poultry Farm and Northern Erie Sno-Seekers group, water district issues, joint facility issues, grant submissions, planning issues, Zoning Policy, Sno-Seekers resolution, Erie Co. park ice rink, petty cash request at Senior Center, assessment issues, personnel issues, as well as other necessary issues.

Privilege of the Floor –

Budget Transfers: A motion was made by Councilman _____, seconded by Councilman _____ to approve the budget transfers outlined in a memo from Bookkeeper Colleen Salmon dated 11/24/08. Carried Unanimously

Approval of Bills -Councilwoman Esposito reported that the Abstracts from Batches #763 & 764 from the November 10, 2008 meeting have been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #768, 769 & 770. Vouchers on these abstracts numbered 1182- 1220 totaling \$98,703.67 and were presented by Councilwoman Esposito, seconded by Councilman _____ to approve payment as follows:

Abstract Batch #768, 769 & 770:

General Fund (A) -\$63,895.76, General Fund- Outside Village (B) \$6,924.00, Highway (DA) -\$0, Capital Projects: CAP-WD#10-phase 2 (HI)- \$0, Murder Creek Stabilization (HM) - \$2,500.00, Highway: Outside Village (DB) \$24,413.18, Drainage (SD)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$0, Sewer Fund (SS) \$548.00, Sewer District #2 (SS02)- \$76.15, and Water Districts (SW1) \$2.37, (SW2) \$5.21, (SW3) \$6.62, (SW4) \$6.62, (SW5) \$142.80, (SW6) \$17.97, (SW7) \$25.06, (SW7A) \$2.84, (SW8) \$1.90, (SW9) \$5.21, (SW10) \$129.98, Trust & Agency(TA)- \$0, Total: \$98,703.67 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway –

Assessor – no report presented

Building Office –the building report was presented by the Director of Planning & Building Christine Falkowski:

Duwayne Grabenstatter	12447 Hunts Corners	Permit renewal
Nova Schlager	11258 Clarence Center	Permit renewal
Dennis Berghorn	11041 Miland	Wood stove
Scott Chaffee	5792 Buell	Room conversion
Barbara Stanley	8191 Fletcher	One family home replacement
Barbara Stanley	8191 Fletcher	Floodplain development
Lyn Longwell	11448 Rapids	Porch repair

The Town Board accepted the report as presented.

Town Clerk- Reminder that Town Hall will be closed this week Thursday and Friday, November 27th and 28th for the Thanksgiving holiday. Dawn hosted the Erie County Town Clerk’s meeting here at The Dukes at Ivy Ridge on November 18th. At that meeting she was nominated and elected the President of the Erie County Town Clerk’s Association for 2009-2010. The annual safety meeting will be held on December 1st.

Attorney for the Town –

COUNCILPERSONS

George-

Finger-

Rooney-

Esposito-

SUPERVISOR- The October Supervisors Report is on file with the Town Clerk.

UNFINISHED BUSINESS

Water District #10- Phase 3 –

Phase 4/Consolidation-

Shared Public Works Facility Committee-

GIS- all equipment purchases have been made and we are waiting for shipments to come in.

Mitigation-

NEW BUSINESS:

Local Law #4 of 2008- SEQRA Determination:

A motion was made by Councilman _____, seconded by Councilman _____ issuing a Declaration of Non-Significance of Local Law under SEQRA regarding the proposed Local Law #4 of 2008 entitled “Self Storage Law of the Town of Newstead” and authorizing the Supervisor to complete and execute the EAF forms.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Adoption of Local Law #4 of 2008:

A motion was made by Councilman _____, seconded by Councilman _____ authorizing the adoption of the proposed Local Law #4 of 2008, Self Storage Law of the Town of Newstead.

(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Public Hearing- Site Plan- Krehers Office Building:

A motion was made by Councilman _____, seconded by Councilman _____ authorizing the calling of a public hearing on December 8, 2008 at 7:___pm to hear comments on the proposed site plan for construction of a new office building at 5411 Davison Rd by Krehers Poultry Farm.
(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Zoning Policy Adoption:

A motion was made by Councilman _____, seconded by Councilman _____ authorizing the adoption of the proposed Town of Newstead Zoning Policy as presented.
(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Northern Erie Sno-Seekers- Bike Path Use Renewal:

A motion was made by Councilman _____, seconded by Councilman _____ authorizing the Northern Erie Sno-Seekers snowmobile club to use of areas of the Newstead Bike Path subject to the terms set forth in the resolution.
(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Public Hearing- Local Law #5 of 2008:

A motion was made by Councilman _____, seconded by Councilman _____ approving the calling of a public hearing on December 8, 2008 at 7:50pm to hear comments on the proposed Local Law #5 of 2008 entitled "Cold War Veterans Law of the Town of Newstead".
(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Purchase Offer Authorization:

A motion was made by Councilman _____, seconded by Councilman _____ authorizing the issuance of a purchase offer by the Town of Newstead on property located on Clarence Center Rd in the amount of \$ _____.
(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Budget Amendment for GIS Grant Funds:

A motion was made by Councilman _____, seconded by Councilman _____ authorizing the amendment of the 2008 Budget to adjust for the receipt of grant funding from NYS Department of Education for a GIS grant as follows:
(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

WD#10- phase 3 Change Order #1:

A motion was made by Councilman _____, seconded by Councilman _____ authorizing the presented Change Order #1 on the Water District #10-phase 3 water project as submitted by Milherst Construction for additional work performed on North Millgrove Rd.
(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

WD#10- phase 3 Final Close Out:

A motion was made by Councilman _____, seconded by Councilman _____ authorizing the full contract payment and release of all retained monies under the final pay request submitted by Milherst Construction for work performed on Water District #10-phase 3, with the performance bond and payment bond to remain in effect for a 2 year period from 11/24/08 and issuing a final close out of the project.
(Resolution Attached) Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye
Carried Unanimously

Approval of Services Proposal- Wendel:

A motion was made by Councilman _____, seconded by Councilman _____ authorizing the proposal for engineering services by Wendel Duchscherer in the amount of \$ _____ for review of _____.
Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye Carried Unanimously

Board of Assessment Review Appointment:

A motion was made by Councilman _____, seconded by Councilman _____ authorizing the re-appointment of Patti (Young) Szlapak to the Board of Assessment Review for another term.
Cummings-Aye, George-Aye, Finger-Aye, Rooney -Aye, Esposito-Aye Carried Unanimously

Question Period-

There being no further business to come before the board a motion was made by Councilman _____, seconded by Councilman _____ to adjourn the meeting at 8:_____ PM.
Carried Unanimously

Respectfully Submitted,
Dawn D. Izydorzak, RMC, Town Clerk